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REMARKS***Summary of the Amendment***

Upon entry of the above amendment, the specification and claims 14-17, 19 and 20 will have been amended. Additionally, claims 1-13 will have been canceled and claims 21-30 will have been added. Accordingly, claims 14-17, 19, 20 and 21-30 will be pending, with claims 14, 17, 19 and 28-30 being in independent form.

Summary of the Official Action

In the Office action, the Examiner objected to the specification and drawings. The Examiner also rejected claims 1-20 as indefinite. Next, claims 1-3, 5-8, 10-13, 15, 16, 18 and 20 were rejected over the applied art of record. Finally, claims 4 and 14 were indicated to contain allowable subject matter and would be allowable if presented in independent form and amended to overcome the indefiniteness rejection. On the other hand, the Examiner failed to either consider the merits of claims 9, 17 and 19 or to indicate that these claims contain allowable subject matter. By the present amendment and remarks, Applicant submits that the objections and rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

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The Examiner cannot properly make the next action Final

Inasmuch as the Examiner has apparently failed, in the instant Official action, to consider the merits of at least claims 9, 17 and 19, Applicant submits that the next action cannot be made final. Accordingly, Applicant respectfully requests that the Examiner carefully consider and treat the merits of all pending claims in the next Official action.

Objection to the specification, is Moot

The Examiner objected to the disclosure because of asserted minor informalities.

By this amendment, it is believed that the issue identified by the Examiner has been addressed. Specifically, Applicant has herein amended paragraph [0001] to include US patent number 6,688,837 which issued on US patent application 10/189,743.

Accordingly, the objection is believed to be rendered moot and the Examiner is requested to withdraw this objection.

Objection to the Drawings is improper

Applicant submits that the Examiner's objection to the drawings is improper and inconsistent with current USPTO rules.

Applicant has reviewed the drawings and claim 17 consistent with the Examiner's comments and believes that each feature recited in this claim is fully described and

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sufficiently shown and/or illustrated in the drawings. Applicant further submits that one having ordinary skill in the art, having reviewed the specification and drawings, and having knowledge of the prior art relating to the invention, would have no difficulty understanding the invention recited in this claim.

Applicant notes, in particular, that the horizontal adjustability of the arms is explained on paragraph [0046] of the instant specification.

Applicant submits that because the concept of lifting arm adjustability is conventionally known, one of ordinary skill in the art, having read the specification and viewed the drawings, would not require additional illustration to understand the features recited in claim 17. Current USPTO rules require drawings only "where necessary for the understanding of the subject matter sought to be patented." Moreover, "conventional features disclosed in the description and claims, where their illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box)." See, for example, Rule 1.81(a).

Applicant notes that the figures clearly show and illustrate the swivel arms graphically. Moreover, the specification clearly indicates that the swivel arms can be made adjustable. Thus, Applicant submits that such features are conventionally known, and that no additional illustration is necessary or required.

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In view of the above, Applicant requests that the Examiner reconsider and withdraw the objection to the drawings and indicate that the drawings are acceptable under current USPTO Rules.

The Indefiniteness Rejection, in Moot

Claims 1-20 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite on the basis of various asserted informalities.

By this Amendment, Applicant respectfully submits that the claims have been amended in a manner which overcomes this basis of rejection.

While Applicant believes that the claims are sufficiently clear to one of ordinary skill in the art, Applicant has, in an effort to advance prosecution, amended the claims in a manner which is believed to fully consider and address the Examiner comments and concerns.

Applicant additionally notes that the term "parallelogram-like structure" is not indefinite and is fully explained on paragraphs [0051] and [0052] of the instant specification, and shown in e.g., Figs. 6 and 7.

Applicant also notes that the horizontal adjustability of the arms is not indefinite and is fully explained on paragraph [0046] of the instant specification.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the rejection of these claims under 35 U.S.C. § 112, second paragraph.

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The Rejection Under 35 U.S.C. § 102(b), is Moot

Applicant submits that the rejection of claims 1, 7, 10-12 and 20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,276,610 to THATCHER is moot.

While Applicant does not agree with the basis of this rejection, Applicant submits that the above-noted rejection has been rendered moot because claims 1, 7 and 10-12 have been canceled and because claim 20 has been amended to depend from claim 19, which were not rejected by the Examiner in the instant Official Action, and which are believed to contain allowable subject matter.

Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 102(b).

The Rejections Under 35 U.S.C. § 103(a), are Moot

Applicant respectfully submits that the rejection of claims 1-3, 5-8, 10-13, 15, 16, 18 and 20 under 35 U.S.C. § 103(a) as unpatentable over THATCHER alone, and/or over THATCHER with US patent 2,689,053 to OLSON, and/or over THATCHER with JP 54-9823 to MORIWAKI, and/or over MORIWAKI with THATCHER.

While Applicant does not agree with these rejections, Applicant submits that the above-noted rejection has been rendered moot because claims 1-3, 5-8, 10-13 and 18 have been canceled and because claims 15, 16 and 20 have been amended to respectfully depend

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from claims 14 and 19, which were not rejected by the Examiner in the instant Official Action, and, at least with regard to claim 14, which was indicated to contain allowable subject matter, and which are believed to be allowable.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejections under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

CONCLUSION

Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. § § 112, 102 and 103 and respectfully requests the Examiner to indicate allowance of each and every pending claim of the present invention.

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicant's invention, as recited in each of the pending claims. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

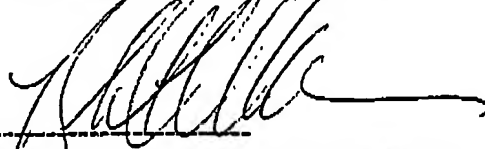
Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art,

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should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Commissioner is hereby authorized to charge any fees necessary for consideration of this amendment to deposit account No. 19-0089.

Respectfully submitted,
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Reg. No. 28,394 Reg. No. 35,043

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